

CLASSIFICATION OFFICE DECISION

Title of publication: 9EB50B2DF5DAC5BE

Other known title(s): Not stated

OFLC ref: 2000036.005

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 07 April 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 07 April 2020

Summary of reasons for decision:

The image file explicitly depicts a man performing a sexual act on a girl who is an older child or young teen and is a record of her sexual abuse. It is deemed objectionable under s3(2)(a) of the Films, Videos and Publications Classification Act 1993 because It promotes and supports the exploitation of children or young persons for sexual purposes. The image creates and encourages the idea that young girls are available for adult sexual use and encourages this interest. It can only be for the purpose of sexually arousing those with an interest in young girls. The objectionable classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling within s3(2)(a) be banned. This also reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.